

ADOPTION NOTICE

The undersigned KNOTT COUNTY WATER AND SEWER DISTRICT of Hindman, Kentucky hereby adopts, ratifies and makes its own, in every respect as if the same had been originally filed and posted by it, all tariffs and supplements containing rates, rules and regulations for furnishing water and sewer service in Knott County, Kentucky, and in effect on the 10th day of February, 1999, the date on which the public service business of the Caney Creek Water and Sewer District was taken over by it.

This notice is issued on the 15th day of March, 2001, in conformity with 807 KAR 5:011, section 11 of the Regulations for the filing of Tariffs of Public Utilities with the Public Service Commission of Kentucky.

KNOTT COUNTY WATER AND SEWER DISTRICT

BY: *Miss Ritchie*

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

APR 14 2001

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)
BY: *Stephan D. Bess*
SECRETARY OF THE COMMISSION

P.S.C. NO. 1

CANCELLING P.S.C. NO. _____

KNOTT COUNTY WATER AND SEWER DISTRICT

of

Hindman, Kentucky

RATES, RULES AND REGULATIONS FOR WATER AND SEWER SERVICES

Filed with the Kentucky Public Service Commission

Date: March 15, 2001

Issued By: Knott County Water and Sewer District

By: *Alice Ritchie by JMR*
Chairperson

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

APR 14 2001

PURSUANT TO 807 KAR 5:011,
SECTION 9(1)

BY: *Stephan Bue*
SECRETARY OF THE COMMISSION

P.S.C. Ky. No.1.....

Cancels P.S.C. Ky. No.

Caney Creek Water and Sewer District

OF

Pippa Passes, Kentucky

Rates, Rules and Regulations for Furnishing

✓ Water Service & Sewer Service

AT

The Southwest Portion of Knott County

**PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE**

NOV 21 1980

**PURSUANT TO 807 KAR 5-011,
SECTION 9 (1)**

BY: *J. Hargrave*

Filed with PUBLIC SERVICE COMMISSION OF
KENTUCKY

ISSUED November 20, 19..... 81

EFFECTIVE November 21 19..... 80

ISSUED BY Caney Creek Water & Sewer Dist.
(Name of Utility)

By James R. Bergman, Chairman

James R. Bergman

FOR Southwest Portions of Knott County
Community, Town or City

P.S.C. KY. NO. _____

_____ SHEET NO. _____

Knott County Water and Sewer District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

_____ SHEET NO. _____

RATES AND CHARGES

MONTHLY WATER RATES

Gallon block for each meter size

3/4" Meter

First 2,000 Gallons
Next 8,000 Gallons
Over 10,000 Gallons

Rates

\$18.25 Minimum Bill
5.63 Per 1,000 Gallons
4.55 Per 1,000 Gallons

2" Meter

First 15,000 Gallons
Over 15,000 Gallons

\$86.00 Minimum Bill
4.55 per 1,000 Gallons

3" Meter

First 30,000 Gallons
Over 30,000 Gallons

\$106.85 Minimum Bill
3.15 Per 1,000 Gallons

New Service Connection Charge
Reconnection fee

\$200.00
8.00

*Flat rate applicable to three customers that lost their well water due to a well or wells drilled by the district. This rate will be subject to investigation in Caney Creeks next rate application under KRS 278.190. The following customers are charged this rate for both water and sewer service:

1. David D. Jacobs
2. Gene A. Slone
3. Chester Watts

DATE OF ISSUE May 20, 2003
Month / Date / Year

DATE EFFECTIVE May 20, 2003
Month / Date / Year

ISSUED BY Alice G. Ritchie
(Signature of Officer)

TITLE Chair

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2002-00292 DATED _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAY 20 2003

PURSUANT TO 807 KAR 0011
SECTION 9(1)

BY Charles L. Eddins
EXECUTIVE DIRECTOR

Caney Creek Water and Sewer District

S.W. Portion of Knott County

P.S.C. Ky. No. _____

Sheet No. _____

Cancelling P.S.C. Ky. No. _____

Sheet No. _____

RULES AND REGULATIONS

1. Meters are read monthly between the 15th and the 20th of each month.
2. Bills are dated and mailed on the first of each month and will state that they are to be paid within 10 days. A penalty of 10% is added to all unpaid bills on the 10th day of each month. **The rates will be included with the bill that is sent in December of each year. All complaints will be handled in accordance with 807 KAR 5:006, Section 9.**
3. Inquiries may be made to the operator and complaints made to the local Water Board. All complaints will be handled in accordance with 807 KAR 5:006 Section 9.
4. The customer agrees to grant to the Utility, its successors and assigns, a perpetual easement in, over, under and upon the above described land, with the right to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove water pipelines and appurtenant facilities, together with the right to utilize adjoining lands belonging to the User for the purpose of ingress to and egress from the above described lands.
5. The customer shall install and maintain at the Customer's expense a service line which shall begin at the meter and extend to the dwelling or place of use. The service line shall connect with the distribution system of the Utility at the nearest place of desired use by the Customer, provided the Utility had determined in advance that the system has sufficient capacity to permit delivery of water at that point.
6. The Customer agrees to comply with and be bound by the Articles, Bylaws, Rules and Regulations of the water district, now in force, or as hereafter duly and legally supplemented, amended, or changed. The Customer also agrees to pay for water at such

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

DATE OF ISSUE _____
Month Day Year

DATE EFFECTIVE _____
JUN 03 1997 Month Day Year

ISSUED BY _____
Name of Officer

PURSUANT TO 807 KAR 5:011,
SECTION 9(1)

Address

BY: Jordan C. Neal
FOR THE PUBLIC SERVICE COMMISSION

P.S.C. Ky. No. _____

Caney Creek Water and Sewer District

Sheet No. _____

Cancelling P.S.C. Ky. No. _____

Sheet No. _____

RULES AND REGULATIONS

rates, time and place as shall be determined by the Utility, and agrees to the imposition of such penalties for noncompliance as are now set out in the Customer's Bylaws, Rules and Regulations, or which may be hereafter adopted and imposed by the Utility. All rates, charges, and rules are subject to the Public Service Commission.

7. **The Utility requires from its customers or applicant for service a minimum cash deposit or guarantee to secure the payment of bills in the amount of \$30.00 for "3/4" meter users and 2/12 of the estimated annual bill for users with meters larger than "3/4". Should the account be fully paid at the time of termination of service to the User, the deposit shall be refunded by the Utility within a reasonable time thereafter.**

The Utility shall issue a certificate of deposit for customers. The Utility will pay interest at a rate no greater than it receives in interest and at no time shall the rate exceed 6% per annum accruing from the date of deposit.

8. The Utility shall have final authority in any question of location of any service line connection to its distribution system; shall determine the allocation of water to Customers in the event of a water shortage; and may shut off water to a Customer who allows a connection or extension to be made of the member's service line for the purpose of supplying water to another Customer. In the event the total water supply shall be insufficient to meet all of the needs of the customers, or in the event there is a shortage of water, the Utility may prorate the water available among the various customers on such basis as is deemed equitable by the Board of Commissioners, and may also prescribe a schedule of hours covering use of water for garden purposes by particular Customers and require adherence thereto or prohibit the use of water for garden purposes; provided that, if at any time the total water supply shall be insufficient to meet all of the needs of all of the Customers, the Utility must first

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PURSUANT TO 807 KAR 5.011,
SECTION 9 (1)

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BY: Jordan C. Neal
FOR THE PUBLIC SERVICE COMMISSION

Caney Creek Water and Sewer District

S.W. Portion of Knott County

P.S.C. Ky. No. _____

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Cancelling P.S.C. Ky. No. _____

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RULES AND REGULATIONS

satisfy all of the needs of all Customers for domestic purposes before supplying any water for livestock purposes and before supplying any water for garden purposes. (See Water Shortage Response Plan filed August 01, 1988.)

9. The Customer agrees that no other present or future source of water will be connected to any waterlines served to the Utility's waterlines and will disconnect from the present water supply prior to connecting to and switching to the Utility's system and shall eliminate their present or future cross-connections in the Customer's system.
10. This Utility may refuse or discontinue to serve an applicant or Customer for the following reasons:

(1) For failing to comply with its rules and regulations, after the Utility has made reasonable effort to induce the Customer to comply with the rules as filed with the Public Service Commission. Discontinuation will result only after written notice of at least 10 days be given the Customer to his last known address.

(2) When a dangerous condition is found on the Customer's premium, service may be discontinued without notice. The Customer will be notified immediately and given the reasons for discontinuance and corrective action to restore service.

(3) When a Customer refuses to provide reasonable access to the premises for the purposes of installation. Such action shall be taken only when corrective action negotiated between the utility and the customer has failed to resolve the situation and after the customer has been given at least ten (10) days written notice of termination.

(4) When a Customer is indebted to the Utility for service furnished and for non-payment of bills, the Utility must make a

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PURSUANT TO 807 KAR 5.011,
SECTION 9(1)

Address _____

BY: Jordan C. Neel
FOR THE PUBLIC SERVICE COMMISSION

P.S.C. Ky. No. _____

Caney Creek Water and Sewer District

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Cancelling P.S.C. Ky. No. _____

Sheet No. _____

RULES AND REGULATIONS

reasonable effort to induce the Customer to pay his/her bill. If the Customer's outstanding balance exceeds two month's billing, a written notice will be sent. The notice will state that the service will be discontinued in 10 days. Such termination notice shall be exclusive of and separate from the original bill. Service shall not be terminated before twenty (20) days after the date of the original bill.

(5) If prior to discontinuance of service there is delivered to the Utility Office payment of the amount in arrears this discontinuance of service shall not be made, or where a written certificate had been signed by a physician, public health office, or registered nurse that in the opinion of the person making certification will aggravate an existing illness on the affected resident can make other living arrangements or until 30 days elapse from the time of notification.

(6) For fraudulent or illegal use of service. Where all causes have been corrected, the Utility shall restore service by reconnection. A charge of \$8.00 will be applied for a reconnection fee.

11. Customers will pay a connection fee upon signature of the contract, which will be taken as a guarantee, but will be forfeited if the contract is not honored.

12. Customer's annual usage will be computed in February for the previous year through the mid December meter reading. That usage will include an average monthly usage calculated from the year's totals and compared with the current month's usage to be used for monitoring purposes. Customers will be notified of unusual deviations in usage in the event that corrective action might be taken in the event of a leak.

Customer's usage is computed monthly. The monthly usages will be entered into an annual report that will generate a history of usage for each customer and meter location.

PUBLIC SERVICE COMMISSION
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ISSUED BY _____
Name of Officer

PURSUANT TO 807 KAR 5011,
SECTION 9(1)

Address _____

BY: Jordan C. Neel
FOR THE PUBLIC SERVICE COMMISSION

FOR _____

P.S.C. Ky. No. _____

Sheet No. _____

Caney Creek Water District

Cancelling P.S.C. Ky. No. _____

Sheet No. _____

RULES AND REGULATIONS

CANEY CREEK WATER DISTRICT
PIPPA PASSES. KY

ACCT: CREEKSIDE DORMS 1-2-3 NO: 1

Current Reading	05/02/97	453130
Prior Reading		452120
Net Usage		1010

Previous Balance	93.09
Less Pay & Adj	93.09
New Charges	91.30
Sales Tax	0.00
Utility Tax	1.79
Penalties	0.00
Balance Due	93.09

Please return this half with your payment

Acct: 1 Billing Date: 05/02/97
Payment due within 10 days

Amount Due: 93.09

CREEKSIDE DORMS 1-2-3
ALICE LLOYD COLLEGE
PIPPA PASSES. KY 41844

PUBLIC SERVICE COMMISSION

OF KENTUCKY

DATE OF ISSUE

DATE OF EFFECTIVE

Month Day Year

Month Day Year

ISSUED BY

Name of Officer

JUN 03 1997

Title

Address

PURSUANT TO 807 KAR 5011,
SECTION 9(1)

BY: Jordan C. Neal
FOR THE PUBLIC SERVICE COMMISSION

WATER SHORTAGE RESPONSE PLAN
Caney Creek Water District

Section 1. Purpose. The purpose of this Plan is to provide for the declaration of official phases of water supply shortages and the implementation of voluntary and mandatory water conservation measures throughout the Caney Creek Water District in the event a shortage is declared.

Section 2. Definitions. These terms are applicable only for this Plan unless specifically noted.

- (a) "Customer" shall mean any person or entity using water for any purpose from the Caney Creek Water District's water distribution system.
- (b) "Raw Water Supplies" shall mean all water potentially available to persons in the Caney Creek Water District.
- (c) "Treated Water" shall mean water that has been introduced by the Caney Creek Water District into its water distribution system, including water offered for sale. Uses of treated water are classified as follows:

Essential Water Uses (Class 1):

The following uses of water, listed by site or user type, are essential.

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Domestic:

- water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

PURSUANT TO 807 KAR 5:011,
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Health Care Facilities:

- patient care and rehabilitation, and swimming pool filling and operation of swimming pools.

BY: [Signature]
PUBLIC SERVICE COMMISSION MANAGER

Water Hauling:

- sales of domestic use where not reasonably available elsewhere.

Public Use:

- firefighting,

- health and public protection purposes, if specifically approved by health officials.

Socially or Economically Important Uses (Class 2):

The following uses of water, listed by site or user type, are socially or economically important.

Domestic:

- personal, in-house water use including kitchen, bathroom and laundry.

Water Hauling:

- non-domestic, when other sources are not reasonably available elsewhere.

Commercial and Civic Use:

- commercial car and truck washes,
- laundromats
- restaurants, clubs and eating places.
- schools, churches, motels/hotels and similar commercial establishments.

Outdoor Non-Commercial Watering:

- minimal watering of vegetable gardens,
- minimal watering of trees where necessary to preserve them.

Outdoor Commercial or Public Watering (using conservation methods and when other sources of water are not available or feasible to use):

- agricultural irrigation for the production of food and fiber or the maintenance of livestock,
- watering by arboretums and public gardens of national, state, regional or community significance where necessary to preserve specimens,
- watering by commercial nurseries at a minimum level necessary to maintain stock,

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PURSUANT TO 807 KAR 5:011,
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By Charles L. Hays
PUBLIC SERVICE COMMISSION MANAGER

- watering at a minimum rate necessary to establish or maintain revegetation or landscape plantings required pursuant to law or regulation,
- watering of woody plants where necessary to preserve them,
- minimal watering of golf course greens.

Recreational:

- operation of municipal swimming pools and residential pools that serve more than 25 dwelling units.

Air Conditioning:

- refilling for startup at the beginning of the cooling season,
- makeup of water during the cooling season,
- refilling specifically approved by health officials where the system has been drained for health protection or repair services.

Non-Essential Uses (Class 3):

Any waste of water, as defined herein, is non-essential. The following uses of water, listed by site or user type, are non-essential.

Public Use:

- use of fire hydrants (excluding Class 1 and Class 2 uses), including use of sprinkler caps, testing fire apparatus and fire department drills,
- flushing of sewers and hydrants **PUBLIC SERVICE COMMISSION OF KENTUCKY** ensure public health and safety as approved by health officials. **EFFECTIVE**

Commercial and Civic Use:

AUG 01 1988

- serving water in restaurants, **PURSUANT TO 207 KAR 1, SECTION 9 (1)** except by customer request,
- failure to repair a controllable leak **BY: [Signature] PUBLIC SERVICE COMMISSION MANAGER**
- increasing water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife.

Ornamental Purposes:

- fountains, reflecting pools and artifical waterfalls.

Outdoor Non-Commercial Watering:

- use of water for dirt control or compaction,
- watering of annual or non-woody plants, lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

Outdoor Commerical or Public Watering:

- expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process,
- use of water for dirt control or compaction,
- watering of lawns, parks, golf courses, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
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AUG 31 1985

PURSUANT TO KRS 9.01
SECTION 9 (1)

BY: *George A. Miller*
PUBLIC SERVICE COMMISSION MANAGER

Recreational uses other than those specified in Class 2.

Non-commercial washing of motor and other vehicles.

Air Conditioning (see also Class 2 purposes):

- refilling cooling towers after draining.

- (d) "Base Entitlement" shall mean the average monthly usage for a customer for the most recent corresponding nine month period. In the case of new residential customers, the term shall mean the number of persons residing in the customer's Dwelling times 2,000 gallons. In the case of new non-residential customers, the term shall mean our objectively-estimated usage.
- (e) "Curtailed Entitlement" shall mean the monthly usage for a customer after any curtailment percentage has been applied.
- (f) "Curtailment" shall mean the reduction in entitlement by some percentage to meet anticipated water shortages.

(g) Water Shortage Response Phases:

"Advisory" shall mean that conditions exist which indicate the potential for serious raw or treated water supply shortages.

"Alert" shall mean the raw or treated water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.

"Emergency" shall mean that raw or treated water supplies are below the level necessary to meet normal needs and that serious shortages exist in the area.

- (h) "Rationing" shall mean that procedures must be established to provide for the equitable distribution of critically-limited raw or treated water supplies, in order to balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

Section 3. Applicability. The provisions of this Plan shall apply to all customers of the Caney Creek Water District. When implemented, this Plan become the District's Water Shortage Response Regulation.

PURSUANT TO 807 KAR 0011,

Section 4. Entitlements. Entitlements shall be established for each customer by adjusting the base entitlement to reflect any known change in usage pattern.

SECTION 9 (1)
BY: *[Signature]*
PUBLIC SERVICE COMMISSION MANAGER

Section 5. Determination of Water Shortage. Water supply and usage shall be monitored on a continuous basis. Unrestricted demand shall be projected from past records and adjusted for changes such as new developments and weather conditions on a regular basis. Water

shortages generally occur for two reasons, a reduction in available supplies or a system failure. Each of these has a distinct influence on the nature and duration of the conservation program implemented. Official declaration of a water shortage stage and implementation of the measures necessary to curtail water use shall be approved by the Caney Creek Water District Board of Commissioners.

Section 6. Term of Water Shortage Declaration. Any water shortage declaration shall remain in effect until water supplies of service conditions have returned to normal. A final determination as to terminating a water shortage declaration shall be made by the Board of Commissioners of Caney Creek Water District.

Section 7. Water Shortage Stage, Criteria, Conservation and Curtailment Measures.

A. Advisory Stage:

(1) Criteria: A water advisory shall be declared when the amount of treated water or raw water available for treatment is projected to be up to 5% below demand, or there are periods of low water pressure in one or more areas of the distribution system due to system failure or inadequacies or the State Division of Water issues a Water Shortage Watch which includes the areas from which the Caney Creek Water District draws water.

(2) Conservation and Curtailment Measures:

- (a) Declare a Water Shortage Advisory.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Request voluntary conservation of all non-essential (Class 3) water use.

PUBLIC SERVICE COMMISSION
OF KENTUCKY

AUG 01 1988

PURSUANT TO KRS 202.011,

SECTION 9(1)

BY: Sharon Helle
PUBLIC SERVICE COMMISSION MANAGER

B. Alert Stage:

(1) Criteria: A water alert shall be declared when the amount of treated water available is projected to be up to 10% below demand, or raw water supplies are consistently below seasonal averages and if they continue to decline, may not be adequate to meet normal needs.

(2) Conservation and Curtailment Measures:

- (a) Declare Water Shortage Alert.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all non-essential (Class 3) water uses.
- (e) Curtail entitlements to all customers by the same percentage as the projected shortage.
- (f) Continue billing all customers' usage, including that portion in excess of curtailed entitlement at current rates. In addition, an excess usage fee of \$25.00 will be assessed for each 1,000 gallons, or any portion thereof, billed in excess of the curtailed entitlement.

C. Emergency Stage:

1. Criteria: A Water Emergency shall be declared when the amount of treated water available is projected to be up to 15% below demand, or there are periods of no water in one or more areas of the distribution system due to low water supply or raw water supplies below the level necessary to meet normal needs.

2. Conservation and Curtailment Measures:

- (a) Declare Water Shortage Emergency.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all Class 3 uses of water.
- (e) Prohibit all Class 2 uses of water except Domestic uses for kitchens, bathrooms and laundries.
- (f) Curtail Residential entitlements by the same percentage as the projected shortage.

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OF KENTUCKY
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PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

BY: *[Signature]*
PUBLIC SERVICE COMMISSION MANAGER

- (g) Continue billing all customers' usage, including that portion in excess of curtailed entitlement at current rates. In addition, an excess usage fee of \$35.00 will be assessed for each 1,000 gallons, or any portion thereof, billed in excess of the curtailed entitlement.

D. Rationing Stage

1. Criteria: Treated water available is greater than 25% below demand or raw water supplies are below the level necessary to meet essential needs, and in the opinion of the Caney Creek Water District Board of Commissioners mandatory rationing is required to insure adequate water is available to maintain public health and safety.
2. Conservation and Curtailment Measures:
 - (a) Declare Water Shortage Rationing.
 - (b) Provide proper notice to all customers and to all local news media.
 - (c) Eliminate all water leaks.
 - (d) Prohibit all Class 3 and Class 2 uses of water.
 - (e) Curtail all commercial and industrial entitlement (except Health Care Facilities) by 100%.
PUBLIC SERVICE COMMISSION
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AUG 01 1988
 - (f) Curtail all residential and wholesale entitlements by the same percentage as the projected shortage.
 - (g) Continue billing all customers' usage, including that portion in excess of curtailed entitlement at current rates. In addition, an excess usage fee of \$45.00 will be assessed for each 1,000 gallons, or any portion thereof, billed in excess of the curtailed entitlement.
PURSUANT TO
SECTION 8
AUG 01 1988
 - (h) Implement service interruptions to portions of system in accordance with approved published schedule. The schedule shall be provided to all local media.

Section 8. Enforcement of Water Restriction. Any person who violates the provisions of this Plan, who fails to carry out the duties and responsibilities imposed by this Plan, or who impedes or interferes with any action undertaken or ordered pursuant to this Plan shall be subject to the following:

- (a) If the Board of Commissioners of Caney Creek Water District learns of any violation of any water use restriction imposed, a written notice of the violation shall be affixed to the property where the violation occurred and mailed to the customer of record.
- (b) The notice will inform the customer of his or her right to appeal by requesting a hearing before the utility's designee. If a hearing is requested by the customer, he or she shall be given full opportunity to be heard before termination. The governing body shall make findings of fact and decide whether service should continue or terminate.
- (c) Any customer whose water service is terminated for violating provisions of this water curtailment plan shall be subject to the approved reconnection fee prior to reconnection of service.
- (d) The excess usage charge billing provisions of this Plan shall not be put in effect if a county or city ordinance containing penalty provisions is in effect to assist enforcement of this Plan.

Section 9. Request for Exception.

(a) Exception to water use restrictions: If compliance with any curtailment measure authorized herein would cause a customer to bear extraordinary hardship, that individual or entity may apply to the Caney Creek Water District for an exception. For these purposes, "extraordinary hardship" shall be defined as a condition which may threaten health and safety, or cause property or economic losses, each of which must be shown to be substantially more severe than the same borne by other users. If extraordinary hardship is found to exist, then an exception shall be granted and a written waiver issued to the customer. If an appeal is made, water service shall be continued until a decision is announced. Any person aggrieved by the decision may file a complaint with the Public Service Commission.

(b) Exception to curtailment surcharge: Exceptions to excess use charges shall be granted.

Section 10. Severability. If any provision of this Plan is declared invalid by the courts, the remainder of the Plan and its applicability to other persons and circumstances shall not be affected by that declaration.

Section 11. Effective Date. This Plan shall take effect immediately upon approval by the Public Service Commission.

**PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE**

AUG 01 1988

**PURSUANT TO 807 KAR 0011,
SECTION 9 (1)**

**BY: James H. Hulse
PUBLIC SERVICE COMMISSION MANAGER**